

Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*). This clarification applies to entries of subject merchandise during the POR produced by Aquapharm for which it did not know that the merchandise it sold to an intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate effective during the POR if there is no rate for the intermediary involved in the transaction.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) No cash deposit will apply to Aquapharm, consistent with our revocation of the order with respect to Aquapharm, effective April 1, 2012, as discussed above; (2) for previously reviewed or investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 3.10 percent, the all-others rate established in the LTFV investigation. *See 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from India: Notice of Final Determination of Sales at Less Than Fair Value*, 74 FR 10543, 10544 (March 11, 2009). These requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This administrative review and notice are published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 24, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-801]

Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Rescission of Antidumping Duty New Shipper Review; 2012-2013

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: In response to a request from Ngoc Ha Co. Ltd. Food Processing and Trading ("Ngoc Ha"), the Department of Commerce ("the Department") initiated a new shipper review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") covering the period August 1, 2012, through January 31, 2013.¹ On May 23, 2013, Ngoc Ha withdrew its request for a new shipper review. Accordingly, the Department is rescinding the new shipper review with respect to Ngoc Ha.

DATES: Effective July 3, 2013.

FOR FURTHER INFORMATION CONTACT: Alexander Montoro, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

Avenue NW., Washington, DC 20230; telephone: (202) 482-0238.

Rescission of New Shipper Review

On May 23, 2013, Ngoc Ha withdrew its new shipper review request.² 19 CFR 351.214(f)(1) provides that, the Department may rescind a new shipper review, if the party that requested the review withdraws its request for review within 60 days of the date of publication of the notice of initiation of the requested review. Given that Ngoc Ha withdrew its request for a new shipper review 55 days after the date of publication of the notice of initiation of the requested review, the Department is rescinding the new shipper review of the antidumping duty order on certain frozen fish fillets from Vietnam with respect to Ngoc Ha. Consequently, Ngoc Ha will remain part of the Vietnam-wide entity.

Assessment

Because Ngoc Ha remains part of the Vietnam-wide entity, its entries may become subject to review if interested parties request an administrative review of the antidumping duty order of certain frozen fish fillets from Vietnam covering the period August 1, 2012, to July 31, 2013. The opportunity to request an administrative review of entries of subject merchandise entered during that period has not yet expired. Therefore, the Department will not order liquidation of entries for Ngoc Ha. The Department intends to issue liquidation instructions for the Vietnam-wide entity, which will cover any entries by Ngoc Ha, 15 days after publication of the final results of the administrative review covering the period August 1, 2012, to July 31, 2013, if such a review is requested. If no such review is requested, the Department will issue liquidation instructions for the Vietnam-wide entity at the appropriate time.

Cash Deposit

The Department will notify U.S. Customs and Border Protection ("CBP") that bonding is no longer permitted to fulfill security requirements for subject merchandise produced and exported by Ngoc Ha that is entered, or withdrawn from warehouse, for consumption in the United States on or after the publication of this rescission notice in the **Federal Register**. The Department will notify CBP that a cash deposit of 2.11 U.S. dollars per kilogram should be collected for all shipments of subject merchandise by Ngoc Ha entered, or withdrawn from

¹ See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Initiation of Antidumping Duty New Shipper Review; 2012-2013*, 78 FR 18957 (March 28, 2013) ("Initiation Notice").

² See letter from Ngoc Ha entitled "Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Withdrawal of Request for a New Shipper Review," dated May 23, 2013.

warehouse, for consumption in the United States on or after the publication of this rescission notice.

Notifications to Interested Parties

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this rescission and notice in accordance with sections 751(a)(2)(B) and 777(i) of the Act and 19 CFR 351.214(f)(3).

Dated: June 26, 2013.

Gary Taverman,

Senior Advisor for Antidumping and Countervailing Duty Operations.

[FR Doc. 2013-16020 Filed 7-2-13; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-894]

Certain Tissue Paper Products from the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty Order

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On March 6, 2013, the Department of Commerce (the Department) published the affirmative preliminary determination of circumvention of the antidumping duty (AD) order on certain tissue paper products (tissue paper) from the People's Republic of China (PRC).¹ We

gave interested parties an opportunity to comment on the *Preliminary Determination*. Based on our analysis of these comments and the facts of record, as verified, our final determination remains unchanged from the *Preliminary Determination*.

DATE: Effective July 3, 2013.

FOR FURTHER INFORMATION CONTACT:

Brian Smith or Gemal Brangman, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1766 or (202) 482-3773, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 6, 2013, the Department published the *Preliminary Determination* finding that imports of tissue paper processed by A.R. Printing and Packaging India Pvt. Ltd. (ARPP) in India, and exported to the United States, are circumventing the AD order on tissue paper from the PRC,² as provided in section 781(b) of the Tariff Act of 1930, as amended (the Act). We invited interested parties to comment on the *Preliminary Determination*. On April 19 and 24, 2013, ARPP and the petitioner³ submitted case and rebuttal briefs, respectively. The Department has conducted this anti-circumvention inquiry in accordance with section 781(b) of the Act and 19 CFR 351.225.

Scope of the Antidumping Duty Order

The tissue paper products subject to the order are cut-to-length sheets of tissue paper having a basis weight not exceeding 29 grams per square meter.⁴ The merchandise subject to this order does not have specific classification numbers assigned to them under the Harmonized Tariff Schedule of the United States. Subject merchandise may be under one or more of several

different subheadings, including: 4802.30; 4802.54; 4802.61; 4802.62; 4802.69; 4804.31.1000; 4804.31.2000; 4804.31.4020; 4804.31.4040; 4804.31.6000; 4804.39; 4805.91.1090; 4805.91.5000; 4805.91.7000; 4806.40; 4808.30; 4808.90; 4811.90; 4823.90; 4820.50.00; 4802.90.00; 4805.91.90; 9505.90.40. The tariff classifications are provided for convenience and customs purposes; however, the written description of the scope of the order is dispositive.⁵

Scope of the Anti-circumvention Inquiry

The products covered by this inquiry are tissue paper products, as described above in the "Scope of the Antidumping Duty Order" section, which are produced in India from PRC-origin jumbo rolls and/or cut sheets of tissue paper, and exported from India to the United States. This inquiry only covers such PRC-origin products that are processed in India by ARPP and exported to the United States.

Analysis of Comments Received

All issues raised in the case briefs by parties in this circumvention inquiry are listed in the Appendix to this notice and addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice. The Issues and Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/> and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, Room 7046 of the main Department of Commerce building. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Final Determination

In the *Preliminary Determination*, the Department found that imports of tissue paper processed by ARPP in India, and exported to the United States, are circumventing the *PRC Tissue Paper Order* pursuant to section 781(b) of the Act. Our final determination remains unchanged from our *Preliminary Determination*. As detailed in the Issues and Decision Memorandum, we determine that tissue paper processed by ARPP in India from PRC-origin jumbo rolls and/or cut sheets of tissue paper and exported to the United States circumvented the *PRC Tissue Paper*

¹ See *Certain Tissue Paper Products From the People's Republic of China: Affirmative Preliminary Determination of Circumvention of the Antidumping Duty Order*, 78 FR 14514 (March 6,

2013) (*Preliminary Determination*), and accompanying memorandum entitled "Preliminary Determination Decision Memorandum for the Anti-Circumvention Inquiry on Certain Tissue Paper Products from the People's Republic of China Involving AR Printing and Packaging India Pvt. Ltd."

² See *Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order: Certain Tissue Paper Products from the People's Republic of China*, 70 FR 16223 (March 30, 2005) (*PRC Tissue Paper Order*).

³ The petitioner is Seaman Paper Company of Massachusetts, Inc.

⁴ For a complete description of the scope of the *PRC Tissue Paper Order*, see memorandum entitled "Issues and Decision Memorandum for the Final Affirmative Determination of Circumvention of the Antidumping Duty Order on Certain Tissue Paper Products from the People's Republic of China (PRC) (Final Decision Memorandum)," dated concurrently with this notice.

⁵ See *PRC Tissue Paper Order*.